

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

MINION & SHERMAN

By: Scott D. Sherman, Esquire

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West Caldwell, New Jersey 07006

(973) 882-2424

**STEVEN LINFANTE
VICTORIA LINFANTE,**

Debtors



Order Filed on June 29, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 17-31360 JKS

Chapter 13

Hearing Date: June 28, 2022

Judge: JOHN K. SHERWOOD

Recommended Local Form has been followed.

ORDER AUTHORIZING SALE OF REAL PROPERTY

The relief set forth on the following pages, numbered two (2) through four (4), is hereby
ORDERED.

DATED: June 29, 2022



Honorable John K. Sherwood
United States Bankruptcy Court

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Debtor: STEVEN LINFANTE AND VICTORIA LINFANTE

Case No: 17-31360 JKS

Caption of Order: **ORDER AUTHORIZING SALE OF REAL PROPERTY**

After review of the Debtor's motion for authorization to sell the real property commonly known as 2 Birchtree Dr. Fairfield, NJ 07004 ("the Real Property").

IT IS hereby ORDERED as follows:

1. The Debtor is authorized to sell the Real Property on the terms and conditions of the contract of sale pursuant to 11 U.S.C. §§ 363(b) and 1303.

2. The proceeds of sale must be used to satisfy the liens on the real property unless the liens are otherwise avoided by court order. Until such satisfaction the real property is not free and clear of liens.

3. ☒ In accordance with D.N.J. LBR 6004-5, the Notice of Proposed Private Sale included a request to pay the real estate broker and/or debtor's real estate attorney at closing. Therefore the following professional(s) may be paid at closing.

Name of professional: Scott D. Sherman, Esq.

Amount to be paid: \$1,750.00.00 for representation of Debtors in real estate transaction

& \$1,000.00 for representation of Debtors in this motion

& \$ 200.00 for representation of Debtors in an Application for

Retention of Broker

Services rendered: Representation of Debtors in real estate transaction and representation of Debtors in the Motion for Approval of Sale.

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Debtor: STEVEN LINFANTE AND VICTORIA LINFANTE

Case No: 17-31360 JKS

Caption of Order: **ORDER AUTHORIZING SALE OF REAL PROPERTY**

Name of professional: Vito Contuzzi.

Amount to be paid: 3.99% of Gross Sales Price

Services rendered: Real Estate Broker.

OR: ☐ Sufficient funds may be held in escrow by the Debtor's attorney to pay real estate broker's commissions and attorney's fees for the Debtor's attorneys on further order of this court.

4. Other closing fees payable by the Debtor may be satisfied from the proceeds of sale and adjustments to the price as provided for in the contract of sale may be made at closing.

5. The amount of n/a claimed as exempt may be paid to the Debtor.

6. The ☐ balance of proceeds or the X balance due on the debtor's Chapter 13 Plan must be paid to the Chapter 13 Trustee in the Debtor's case.

7. A copy of the HUD settlement statement must be forwarded to the Chapter 13 Trustee 7 days after closing.

8. ☐ The debtor must file a modified Chapter 13 Plan not later than 21 days after the date of this order.

9. Other provisions:

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Debtor: STEVEN LINFANTE AND VICTORIA LINFANTE

Case No: 17-31360 JKS

Caption of Order: **ORDER AUTHORIZING SALE OF REAL PROPERTY**

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- a. The Debtor shall pay US Bank, N.A. in full at closing pursuant to a
Payoff statement issued in the normal course. Until such payment in full is received, the real
property is not free and clear of the lien of US Bank.
- b. The net proceeds, after payment of liens, payoff of Chapter 13
plan, payment of closing costs and counsel fees as set forth in this order, shall be paid to the
Debtor at closing.
- c. The provisions of Bankruptcy Rule of Procedure 6004(h) be and
are hereby waived.
- d. The closing must occur within 90 days from the entry of this order.

In re:
Steven Linfante
Victoria Linfante
Debtors

Case No. 17-31360-JKS
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: Jun 29, 2022

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 01, 2022:

Recip ID	Recipient Name and Address
db/jdb	+ Steven Linfante, Victoria Linfante, 2 Birchtree Drive, Fairfield, NJ 07004-1814

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 01, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 29, 2022 at the address(es) listed below:

Name	Email Address
Charles G. Wohlrab	on behalf of Creditor U.S. Bank Trust National Association not in its individual capacity but solely as owner trustee for RCF 2 Acquisition Trust c/o U.S. Bank Trust National Association cwohlab@raslg.com
Denise E. Carlon	on behalf of Creditor CSMC 2019-RPL9 Trust dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Harold N. Kaplan	on behalf of Creditor U.S. Bank Trust National Association not in its individual capacity but solely as owner trustee for RCF 2 Acquisition Trust c/o U.S. Bank Trust National Association hkaplan@rasnj.com, informationathnk@aol.com
Marie-Ann Greenberg	magecf@magtrustee.com
Nicholas V. Rogers	on behalf of Creditor BANK OF AMERICA N.A. nj.bkecf@fedphe.com

District/off: 0312-2

User: admin

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Date Rcvd: Jun 29, 2022

Form ID: pdf903

Total Noticed: 1

Scott D. Sherman

on behalf of Debtor Steven Linfante ssherman@minionsherman.com

Scott D. Sherman

on behalf of Joint Debtor Victoria Linfante ssherman@minionsherman.com

Sindi Mncina

on behalf of Creditor U.S. BANK TRUST N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST
smncina@raslg.com

Sindi Mncina

on behalf of Creditor U.S. Bank Trust N.A. smncina@raslg.com

Steven P. Kelly

on behalf of Creditor U.S. Bank Trust N.A. skelly@sterneisenberg.com, bkecf@sterneisenberg.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 11